

**ELK GROVE COMMUNITY SERVICES DISTRICT  
MINUTES OF A REGULAR BOARD MEETING  
Tuesday, October 19, 2004 – 6:30 p.m.  
EGCSD Administration Building**

**ATTENDANCE:**

Directors present included Gerald Derr, Doug McElroy, Elliot Mulberg, Pat Perez, and Elaine Wright.

Administrative Services Director Jeff Ramos, Administrator of Parks & Recreation David Wigginton, and Fire Chief Keith Grueneberg were also in attendance.

**DRAFT**

**A. CALL TO ORDER**

1. President Perez called the meeting to order at 6:35 p.m.
2. David Wigginton led the Pledge of Allegiance.

**B. ANNOUNCEMENTS/PRESENTATIONS**

1. The award presentation from the Elk Grove Piranhas Swim Team was postponed until the next Board meeting.

**C. GENERAL MANAGER/DEPARTMENT HEAD REPORTS**

1. Administration Services Department – Jeff Ramos reported staff completed the update of the East Franklin park and fire fee, agendized tonight for Board approval; the 2003-2004 audit is in progress; staff is working with the District's insurance company on issues related to rejected claims filed against the District, and is also working with Rudolph & Sletten on the final billings for the Wackford Complex. Finally, for those who wish to attend the Rotary Ball this Saturday, Rita Velasquez has tickets for sale.

2. Parks & Recreation Department – By way of the Recreation Division in September, David Wigginton reported over 50 people participated in the Community Garden workshop; Mervyn's awarded the CSD Foundation a \$2,500 grant for outdoor education programs; 48 participants requested financial assistance through the Operation Clyde program; and membership at the Wackford Complex Teen Center is growing daily, with members involved in the planning of a Teen Halloween Dance.

The Parks Division completed 179 work orders, prepped 200 ball fields, pruned 85 trees, removed 30 dead/damaged trees, and planted 18 new ones. Construction of the dog park at the Elk Grove Regional Park is underway, with the recent completion of concrete and fencing work; several volunteer projects are lined up to put in a kiosk, benches, and water fountains at the dog park.

The Planning and Design Division received bids for the Caterino, Miles, and Willard Parks. Foundation for the restrooms at Jones, Strong, and Johnson Park are complete; restrooms have been fabricated and will be delivered and placed at the sites next month. The Bradford, Keema, Lewis, Berens, and Kramer Parks have been hydro seeded; Johnson Park will be hydro seeded next month.

Staff in the Administrative Division has submitted a grant application to California Department of Parks and Recreation for the development of a multi-use trail around the perimeter of Elk Grove Regional Park. A grant was also submitted to the State Cultural and Historical Endowment for restoration and renovation of the Ehrhardt House.

Volunteer hours for September totaled 1,317 for the month, with a value at \$8,800. Laguna Town Hall hosted 2,900 people and the Pavilion and Strauss Island hosted events attended by 1,300 people. Finally, a new trails brochure highlighting the Laguna Creek Trail is available for distribution compliments of the Sac County Department of Water Resources who printed the brochure.

Per the request of Director Wright, staff will be in touch with Francis Fite regarding opening the restrooms when classes are in session at the Rhoads Schoolhouse.

3. Fire Department – For the month of September, Chief Grueneberg reported crews responded to 683 incidents – 64 structure-related, 462 were medical aids, 27 special, and 130 grass-related incidents. The Training Center is being fully utilized, with the District's ongoing Fire Academy, the Maritime Academy, and Rescue 3's training of swift water rescue and boat handling.

#### **D. COMMUNICATIONS FROM THE PUBLIC**

1. Dyric Ramirez expressed his concerns with the wrong sized copings installed at the Skate Park and the safety hazards they pose. He would suggest the District and Rudolph & Sletten, the project manager to move quickly with a resolution and have the copings replaced with the right size.
2. Ed Pert echoed concerns raised by Dyric Ramirez with regards to the Skate Park and requested the item be agendaized for the next Board meeting so the issue can be addressed and resolved.

#### **E. CONSENT CALENDAR**

1. The Board approved the October 5, 2004 regular Board meeting minutes. Derr-Wright, Mulberg, Perez – yes; McElroy – abstain.
2. The Board received and filed letters of appreciation to the Elk Grove CSD Fire Department. Derr-Wright, unanimous.
3. The Board approved the Proclamation honoring Stanley Carrothers for being selected as the Elk Grove Chamber of Commerce's 2004 Elk Grove Citizen of the Year. Derr-Wright, unanimous.
4. The Board ratified payment of the September 2004 bills and payroll for the EGCSO; and received and filed the Budget Status Reports for the month of September 2004. Derr-Wright, unanimous.
5. The Board awarded the contract for construction of the Caterino, Miles, and Willard Parks to Hemington Landscape for the amount of \$1,227,476.20, plus 5% (\$61,373.81) for contingencies; and authorized the General Manager to sign the Contract Completion Notices upon acceptance of the projects subject to ratification by the Board. Staff will forward an itemized price list of amenities at each park to the Board. Wright-Derr, unanimous.
6. The Board authorized a rebate of \$975 from Benefit Zone 13 – East Franklin for excess assessments levied on Parcel No. 132-0770-59 for 2003-04 assessments. Derr-Wright, unanimous.
7. The Board approved Resolution No. 2004-123, authorizing the District to apply for grant funds under the provisions of the State Urban Parks and Healthy Communities Program for the development of sports fields in the future Hal Bartholomew Sports Park; and authorized the General Manager to sign all documents related to the grant proposal. Mulberg-McElroy, unanimous.
8. The Board approved the lease addendum with the California Montessori Project for restroom renovations at the Elk Grove Recreation Center. Derr-Wright, unanimous.

9. The Board approved the Park Development Agreement with Geneva Elk Grove, L.P. for the Geneva Pointe apartment project in the Eastern Elk Grove area; and approved Deed Resolution Nos. 2004-124 through 2004-126, accepting the Geneva Pointe Park deed and two landscape corridor easements. Derr-Wright, unanimous.

#### **F. ADVERTISED PUBLIC HEARINGS**

1. President Perez opened the Public Hearing to adopt the land use and development plan and environmental documents for the Maritime West Park in Lakeside. With no comment received from the public, the hearing was closed.

The Board proceeded to adopt the land use and development plan and environmental documents for the Maritime West Park in Lakeside; adopted Resolution No. 2004-127, certifying the negative declaration; and certified the "Lead Agency Final Determination of Exemption from Assembly Bill 3158 Review Fee." Wright-Derr, unanimous.

#### **G. PUBLIC HEARINGS**

1. None

#### **H. STAFF REPORTS**

1. The Board reviewed and approved the site for the Verizon wireless cell tower structure (set at 9-feet high) at Elk Grove Regional Park. Natural vegetation will be used to screen the building from view off East Stockton Boulevard. The Board also requested the building be painted to match surrounding buildings. Mulberg-McElroy, Perez – yes; Derr, Wright – no.
2. The Board approved the update of park and fire development fees in the East Franklin Specific Plan area and authorized staff to work with the City of Elk Grove to complete the update. Derr-McElroy, unanimous.

#### **I. BOARD OF DIRECTORS BUSINESS**

1. The Board approved Nicole Tucker's request to waive the rental fee for use the Elk Grove Youth Center for a Thanksgiving Day Food Drive to benefit local food banks. Staff will check on the availability of the Youth Center on November 20, 2004 and notify Ms. Tucker accordingly. Derr-McElroy, unanimous.
2. The Board approved a request from the Elk Grove Senior Center to co-sponsor a fundraising event to coincide with the Older Americans Month in May 2005 and to provide an in-kind contribution of a District facility free of charge to the Senior Center of Elk Grove. Staff will work with the Senior Center staff to come up with an appropriate venue, date, and time to hold the event. Derr-Mulberg, unanimous.
3. Because of pressing District matters, the Board did not cancel the November 2, 2004 Board meeting. Wright-Mulberg, unanimous.
4. Fire Committee – Director McElroy stated work is ahead of schedule for the construction of Fire Station 74 and the remodel of Fire Station 72.
5. Parks and Recreation Committee – Director Wright – No report.
6. Budget/Finance/Insurance Committee – Director Mulberg – No report.
7. Policies & Procedures Committee – Director McElroy – No report.
8. Strategic Planning Committee – Director Derr – No report.
9. Fire Communications Board – Chief Grueneberg reported the Board conducted normal business and is in the middle of negotiations with supervisors at the Com Center.
10. Senior Center Board – Director Mulberg – No report.

11. Local Agency Formation Commission (LAFCo) – Director Mulberg stated there was no meeting this month.
12. Sacramento County Treasury Oversight Committee – Jeff Ramos – No report.
13. Miscellaneous Report – Director McElroy reminded the Board the Veterans Day Parade is scheduled for November 11<sup>th</sup>.

**J. COMMUNICATIONS FROM THE PUBLIC**

1. None

**K. IDENTIFICATION OF ITEMS FOR FUTURE MEETING**

1. Director Mulberg asked that the following items be agendaized for the next meeting: 1) the Skate Park safety concerns brought up by Dyrice Ramirez and Ed Pert be addressed and to delay the opening of the Skate Park until those issues are resolved and all parties are happy with the resolution; 2) if needed, the appointment of the new General Manager; and 3) the issues with the Laguna Ridge Specific Plan.
2. Director Wright asked for an update report on the placement of pre-fab restrooms and how they are working out.

**L. ADJOURNMENT TO EXECUTIVE SESSION**

1. President Perez adjourned the regular meeting to an Executive Session at 7:55 p.m.

**M. EXECUTIVE SESSION**

An Executive Session was opened at 9:13 p.m. to conduct the following closed session item:

1. GENERAL MANAGER APPOINTMENT  
Public Employment – Title: General Manager  
(Government Code Section 54957)

**N. REOPEN REGULAR MEETING**

President Perez reopened the regular meeting and announced a tentative offer will be made to the top candidate to fill the General Manager position.

**O. ADJOURNMENT**

With no further business, President Perez adjourned the meeting at 9:14 p.m.

Respectfully submitted,

Rita K. Velasquez  
Secretary of the Board

# STAFF REPORT

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**THROUGH:** Rita K. Velasquez  
**FROM:** Karen Liu-Blaschke, Administrative Assistant  
**SUBJECT:** LETTERS OF APPRECIATION



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## RECOMMENDATION:

Receive and file letters of appreciation to the staff of the CSD Fire Department.

## BACKGROUND/ANALYSIS:

Attached are two letters of appreciation from Elk Grove residents thanking the men and women of the Elk Grove CSD Fire Department for their professionalism and courtesy displayed while responding to emergency calls. Also enclosed is a thank you letter from Sacramento Metropolitan Fire District Assistant Chief Michael Dobson thanking Steve Hauser, who was supervising investigator in an arson case that lead to the arrest and conviction of a serial arsonist in the Mississippi Bar area.

Finally, attached are two letters of gratitude to the CSD Fire Department for their support during a difficult time for the men of women of the Department of Forestry and Fire Protection, Tuolumne/Calaveras Unit. Chief Fred J. McVay and Joyce Schicke expressed their appreciation to the Department for all the support they received at the memorial for Eva Schicke, the first female firefighter with the California Department of Forestry to die in the line on duty.

As always, thank you to the individuals of the Fire Department for presenting the Elk Grove CSD in such a positive light and for going above and beyond your call of duty.

Respectfully submitted,

Karen Liu-Blaschke  
Administrative Assistant - Operations

*Attachments (For copies of the thank you letters, please contact CSD Admin @ 685-7069.)*

**ELK GROVE COMMUNITY SERVICES DISTRICT**

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# STAFF REPORT

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**FROM:** Jeff Ramos, Administrative Services Director



**SUBJECT: IN-LIEU/DEVELOPER FEE REPORT-July 1, 2004 – September 30, 2004**

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## **RECOMMENDATION**

That the Board of Directors receive and file the in-lieu/developer fee report for the period July 1, 2004 through September 30, 2004.

## **BACKGROUND/ANALYSIS**

An accounting of in-lieu fee transactions for the period July 1, 2004 through September 30, 2004 is attached. The spreadsheet identifies funds received and expended by benefit zone and also details funds committed to specific projects.

For projects that fall within the City of Elk Grove, the District is responsible for calculating and collecting the in-lieu fees. Thus the report has been segregated into those funds collected by the County of Sacramento and those funds calculated and collected by the Administrative Services Department.

Should you have any questions or comments, please contact me prior to the meeting.

Respectfully submitted,

Jeff Ramos  
Administrative Services Director

Attachments (*For a copy of the attachments, please contact CSD Admin @ 685-7069.*)

# STAFF REPORT

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**FROM:** Jeff Ramos  
Administrative Services Director



**SUBJECT: SEPTEMBER 30, 2004 QUARTERLY INVESTMENT REPORT**

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## **RECOMMENDATION**

That the Board of Directors receive and file the attached September 30, 2004 quarterly investment report for the Local Agency Investment Fund (LAIF) and the District's separately managed investment portfolio.

## **BACKGROUND/ANALYSIS**

Government Code Section 53646 requires that the treasurer render to the legislative body of the local agency a quarterly pooled investment fund report, which the legislative body of the local agency shall consider at a public meeting.

Attached are the September 30, 2004 Quarterly Report for the Local Agency Investment Fund and the District's separately managed investment portfolio. The average interest earned for the quarter ended September 30, 2004 was 1.67% for LAIF.

The District's separate investment portfolio is invested 100% in Federal Agency Notes, which are rated AAA by Standard & Poors. The total invested at September 30, 2004 is approximately \$6,000,000. The average interest rate for the District's separate investment portfolio is 3.202%, which equates to approximately \$91,000 in additional interest income to the District over what would be earned if the money were invested in LAIF. Staff will continue to monitor the cash needs of the District and interest rate environment and make additional investments as deemed appropriate.

Respectfully submitted,

Jeff Ramos  
Administrative Services Director

Attachments (*For a copy of the attachments, please contact CSD Admin @ 685-7069.*)

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# STAFF REPORT

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**FROM:** David Wigginton, Administrator  
Department of Parks and Recreation  
**BY:** Phil Hollingshead, Landscape Architect



**SUBJECT: AWARD OF CONTRACT – JOHNSON PARK RESTROOM  
FOUNDATION & UTILITY IMPROVEMENTS**

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## **RECOMMENDATION**

That the Board of Directors authorize a change order in the amount of \$23,741.00 for the construction of restroom foundation and utility improvements at Johnson Park with John Biundo Landscape and authorize the General Manager to sign all documents including the Notice of Completion.

## **BACKGROUND/ANALYSIS**

Gateway Landscape, Contractor for Johnson Park - Phase 2, had originally agreed to construct the restroom foundation and utility improvements as a change order to their contract. Gateway Landscape recently acknowledged that they would not be able to complete these improvements prior to the delivery of a prefabricated restroom. Since Restroom fabrication was completed some time ago and delivery/placement had been scheduled for October 29<sup>th</sup>, Staff contacted John Biundo Landscape to perform the necessary work. On August 17, 2004, the Board awarded a contract to John Biundo Landscape for similar work at Jones and Strong Park for a bid amount of \$44,065.00 or \$22,032.50 each. The proposed change order would be a part of that existing contract.

This project includes the construction of a restroom foundation with utility improvements necessary for the placement of a prefabricated restroom. The estimate for this work was \$22,500.00. Adequate funding for this project is available in the Lakeside-Mello-Roos funds. Biundo Landscape has built several parks for the District, including Johnson Park Phase One, Jones, Strong, Jungkeit and Fleming Parks.

Respectfully submitted,

David Wigginton, Administrator  
Department of Parks and Recreation

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# STAFF REPORT (REVISED)

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**FROM:** David L. Wigginton, Administrator  
Department of Parks and Recreation



**SUBJECT: UPDATE OF SKATEPARK**

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## **RECOMMENDATION**

That the Board of Directors receive the report as presented and provide direction if appropriate.

## **BACKGROUND/ANALYSIS**

At the October 5, 2004 meeting the Board of Directors requested a report on the Skate Park be provided focusing on the issues presented by citizen volunteers. Specifically these issues included coping radius and quality of construction. Until October 21, 2004 staff did not have the information required to address the issues in an informed manner.

On Aug 6, 2004: During the 1<sup>st</sup> inspection of the Skate Park, the designer asks for confirmation that the steel grinding embeds have a ½" radius on the outside face. Rudolph & Sletten (R&S) points out that, in fact, the copings are ½" on the inside, resulting in a roughly ¾" radius on the exposed surface. The designer, R&S and Gateway discussed the issue without formal resolution. See the attached e-mail from R&S written to the designer later that same day regarding this issue. Gateway is verbally directed by the designer and R&S to make sure all further embeds are installed as ½" radius copings on the exposed face.

On Aug.9, 2004: With input from R&S that the copings can, in fact, be repaired, the designer issues his Field Report requiring ½" copings at all locations. See the attached e-mail from the designer.

On Aug.16, 2004: Gateway submits their first repair idea. The designer and R&S give Gateway the OK to make a mock-up of this repair for field review. See the attached e-mail with photos of Gateway's first repair idea.

On Aug.23, 2004: Gateway's coping fabricator, Stockton Tri Industries, asks to appeal the designer's requirement to repair or replace the ¾" radius copings. The designer rejects the appeal and requires ½" copings per the Drawings. See the attached e-mail from the designer.

On Sept. 7, 2004: R&S is copied on an e-mail from the designer to citizen volunteers updating him on the progress of the coping repairs and that multiple solutions were being explored. See attached e-mail.

Early Sep. 2004: Gateway's coping fabricator, Stockton Tri Industries, tells Gateway and R&S that they were unsuccessful with the mock-ups of their first repair proposal and were unable to maintain tight tolerances in the field repair conditions. Gateway begins to explore multiple other options to repair or replace the embeds.

Mid Sep. 2004: With a verbal ultimatum from R&S that this issue won't go away and must be resolved shortly, Gateway orders new coping materials per their proposed repair solution at some locations.

Late Sep. 2004: A mock-up of the proposed repair solution is completed at multiple locations. Gateway asks again to leave the other remaining copings in place.

On September 30, 2004: R&S forwards Gateway's proposal to the designer via e-mail and receives the designer's e-mail confirmation of Gateway's proposal to leave some ¾" embeds in place at the other locations, pending the designer's final field review of the repair mock-up and EGCS D's acceptance of the proposal. See the attached e-mail.

Early Oct. 2004: The coping mock-up repair appears to R&S to have been very successful. R&S schedules an inspection with the designer for Oct 21, 2004 to review the coping repairs and complete the punch list for the Skate Park.

On Oct. 19, 2004: At the EGCS D Board Meeting, citizen volunteers expressed their concerns about leaving any of the ¾" copings in place and makes note of possible legal implications to EGCS D and everyone else for leaving any of the ¾" coping in place.

On Oct. 21, 2004: the designer completes his punch list of the Skate Park. The designer accepts the coping replacement mock-up. Due to the safety concerns of the correspondence from citizen volunteers, the designer requires all other ¾" copings to be replaced in an effort to prevent any legal consequence to EGCS D, R&S or the designer arising from the coping issue. The additional repairs will be completed at no cost to EGCS D. R&S enforces this requirement with Gateway. The date of completion of the balance of the repairs will likely extend the completion of the Skate Park at least another month.

The facts of the project team's management of this issue demonstrate that there has been steady progress and communication in the resolution of the coping issue since the issue was first raised by R&S and the designer. It simply takes time to work through proposals and mock-ups to achieve the best long-term solution for the project and ultimately for the skaters that will use the project.

Please keep in mind that it has been important for Gateway, the installing contractor, to be fully responsible for proposing and completing the means and method of the coping repairs. Neither the designer, R&S nor EGCS D can dictate to Gateway, the installing contractor, how to make a repair. To dictate how to make a repair would open EGCS D to the cost exposure of the repair if another, less costly solution were available and EGCS D prevented the alternative repair solution.

R&S' role is to enforce the contract documents as prepared by the skate park designer. It is not R&S' job to make design decisions. Based on the correspondence from R&S to the designer, it is obvious that they have been doing exactly what they were hired to do. In fact, it is only with R&S' input and guidance that Gateway was able to arrive at a successful solution to the problem. Any criticism of R&S or the designer or any other member of the project team is not supported by the facts surrounding this issue and appears to be without merit.

If you have any questions, please call me prior to the meeting.

Respectfully submitted,

David L. Wigginton, Administrator  
Department of Parks and Recreation

*Attachments (For a copy of the Attachments, please contact CSD Admin @ 685-7069.)*

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# STAFF REPORT

**DATE:** November 2, 2004  
**TO:** Board of Directors  
**FROM:** Rita K. Velasquez, General Manager  
**SUBJECT:** LAGUNA RIDGE SPECIFIC PLAN –  
DRAFT PUBLIC FACILITIES FINANCING PLAN



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## **RECOMMENDATION:**

Review Staff's response to the Laguna Ridge Specific Plan – Draft Public Facilities Financing Plan.

## **BACKGROUND/ANALYSIS:**

Attached is a copy of Staff's response to the Draft Public Facilities Financing Plan for the Laguna Ridge Specific Plan. This response is in concert with the Board's previous direction.

It should be pointed out that Staff contacted the consultant, EPS, regarding language included in the Draft document that all parklands were to be dedicated to the City. EPS informed us that this language was not based on direction from the City; they said it was a mistake on their (EPS) part.

For your information I have included pages from this document that are referred to in the attached letter. However, since this Plan is about two inches thick, Board members are welcome to review the entire draft in our office or request a copy from staff.

City staff has informed us that this plan will likely not be brought to the City Council until after the first of next year. We will work with City staff regarding these revisions to the Plan.

Respectfully submitted,

Rita K. Velasquez  
General Manager

Attachments (*For a copy of the Attachments, please contact CSD Admin @ 685-7069.*)